UNITED STATES PATENT AND TRADEMARK OFFICE

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10/607,718	06/27/2003	Kevin T. Rowney	006224.P001X3	9417

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EXAMINER
DAYE, CHELCIE L

ART UNIT	PAPER NUMBER
2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/607,718	ROWNEY ET AL.
	Examiner	Art Unit	
	Chelcie Daye	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 May 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>5/18/07</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is issued in response to applicant's amendment filed on May 18,

2007.

2.   Claims 1-32 are presented. No claims are added and none cancelled.

3.   Claims 1-32 are pending.

Claim Objections

4.   Claims 1,20,31,and 32 are objected to because of the following informalities:

- the term 'couplable' should be replaced with the term 'coupled'.

- the phrase "searching locally content" should either state "searching local

  contents" or "searching locally the contents". Appropriate correction is

  required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 1-3,6-15,20-21,24-26, and 31-32, are rejected under 35 U.S.C. 103(a)**

as being unpatentable over Majumdar (US Patent No. 6,639,615) filed May 28,

1999, in view of Shannon (US Patent No. 6,233,618) filed March 31, 1998, and

further in view of Dascalu (US Patent No. 5,958,015) filed October 29, 1996.

Regarding Claims 1,20, and 32, Majumdar discloses a method for a client

device, comprising:

searching locally contents of a plurality of data storage media of the client

device for data (column 3, lines 20-25, Majumdar), the client device being

couplable to a server via a network (column 2, lines 50-53, Majumdar); and

detecting locally at least a portion of the data on any one of the plurality of data

storage media of the client device (column 3, lines 34-36, lines 58-67, and

column 4, lines 1-10, Majumdar). However, Majumdar is silent with respect to the

data being pre-selected data, and the client device being a personal computing

device. On the other hand, Shannon discloses the data being pre-selected data

(column 8, lines 2-12, Shannon)[1], and the client device being a personal

computing device (Fig.1; column 5, lines 45-50, Shannon). Majumdar and

Shannon are analogous art because they are from the same field of endeavor of

data within a networking system. It would have been obvious to one of ordinary

skill in the art at the time of the invention to incorporate Shannon's teachings into

the Majumdar system. A skilled artisan would have been motivated to combine

as suggested by Shannon at column 3, lines 46-50 and column 4, lines 33-50, in

order to provide a more efficient and up-to-date system for controlling access by

client computers to available data dependent upon the content. However,

Majumdar in view of Shannon are silent with respect to sending a notification of

detection of the pre-selected data from the client device to the server via the

network. On the other hand, Dascalu discloses sending a notification of detection

of the pre-selected data from the client device to the server via the network

(column 4, lines 41-50, Dascalu). It would have been obvious to one of ordinary

skill in the art at the time of the invention to incorporate Dascalu's teachings into

the Majumdar and Shannon system. A skilled artisan would have been motivated

to combine as suggested by Dascalu at column 1, lines 63-67, in order to provide

a network device that offers access control at a particular level over a LAN and a

WAN, without having to use conventional software security methods.

Regarding Claim 2, the combination of Majumdar in view of Shannon, and

further in view of Dascalu, disclose a method further comprising:

upon detecting at least a portion of the pre-selected data (column 14, lines

26-29, Shannon), preventing access to the detected data (column 14, lines 37-

41, Shannon).

Regarding Claims 3 and 21, the combination of Majumdar in view of

Shannon, and further in view of Dascalu, disclose a method wherein the content

is searched periodically (columns 9-10, lines 64-67 and 1, respectively,

Shannon).

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[1] Examiner Notes: Fig.1, items 203,204, and 208, corresponds to the "plurality of data storage media".

Regarding Claims 6 and 24, the combination of Majumdar in view of

Shannon, and further in view of Dascalu, disclose a method further comprising:

receiving instructions defining a scope of a search for the client device

from the server (column 6, lines 28-47, Shannon).

Regarding Claim 7, the combination of Majumdar in view of Shannon, and

further in view of Dascalu, disclose a method wherein searching contents of a

plurality of data storage media within a client device comprises:

receiving an abstract data structure[2] associated with the pre-selected data

(column 8, lines 49-51, Shannon); and

utilizing the abstract data structure (column 8, lines 51-56, Shannon) when

searching the contents of the plurality of data storage media of the client device

for the pre-selected data (column 8, lines 2-12, Shannon).

Regarding Claims 8 and 25, the combination of Majumdar in view of

Shannon, and further in view of Dascalu, disclose a method wherein searching

contents of a plurality of data storage media of the client device comprises

monitoring one or more specific data operations (column 13, lines 23-34,

Shannon) for presence of at least a portion of the pre-selected data (column 14,

lines 26-29, Shannon).

Also, database 208 discloses a restricted destination database, which stores restricted categories in order to prohibit access by the client. The restricted categories are examples of the "pre-selected data".
[2] Examiner Notes: Table 3 is a form of an index data structure, which corresponds with abstract data structure.

Regarding Claims 9 and 26, the combination of Majumdar in view of
Shannon, and further in view of Dascalu, disclose a method wherein at least one
of the one or more specific data operations is selected from the group consisting
of a file-read, a file-write, a file-update (column 9, lines 27-31, Shannon), a read
from a removable media device, a write to a removable media device, and
access of data stored on any of the plurality of data storage media by a program
running on the client device (column 12, lines 24-31, Shannon).

Regarding Claim 10, the combination of Majumdar in view of Shannon,
and further in view of Dascalu, disclose a method wherein the pre-selected data
has a tabular format (column 8, Table 3, Shannon).

Regarding Claim 11, the combination of Majumdar in view of Shannon,
and further in view of Dascalu, disclose a method wherein the pre-selected data
is capable of being re-structured into a tabular format based on relationships
among elements of the pre-selected data (column 7, Table 2 and lines 58-64,
Shannon).

Regarding Claim 12, the combination of Majumdar in view of Shannon,
and further in view of Dascalu, disclose a method wherein the pre-selected data

is maintained by an organization in at least one of a spreadsheet, a flat file, and a database (column 8, lines 24-30, Shannon).

Regarding Claim 13, the combination of Majumdar in view of Shannon, and further in view of Dascalu, disclose a method wherein the pre-selected data is associated with an abstract data structure comprising a tuple-storage structure[3] derived from the pre-selected data (column 8, Table 3, Shannon).

Regarding Claim 14, the combination of Majumdar in view of Shannon, and further in view of Dascalu, disclose a method wherein the abstract data structure comprises a plurality of tuples, each of the plurality of tuples including a row numbers of a data item in a corresponding cell of a tabular structure of the pre-selected data (column 8, Table 3 and lines 49-51, Shannon; wherein the plurality of tuples correspond to the multiple rows and also the rows within Table 3 are numbered which corresponds to the "including row numbers of a tabular structure").

Regarding Claim 15, the combination of Majumdar in view of Shannon, and further in view of Dascalu, disclose a method wherein each of the plurality of tuples additionally includes a column number (column 8, lines 57-62, Shannon) and optionally a column type of the data item in the corresponding cell.

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[3] Examiner Notes: The tuple-storage structure is Table 3 shown with numbered rows.

Regarding Claim 31, the combination of Majumdar in view of Shannon, and further in view of Dascalu, disclose a client device comprising:

a plurality of storage media storing various data for the client device (column 3, lines 20-25, Majumdar), the client device being a personal computing device (Fig.1; column 5, lines 45-50, Shannon) couplable to a server via a network (column 2, lines 50-53, Majumdar); and

at least one processor coupled to the plurality of storage media (column 3, lines 54-58, Shannon), at least one processor executing a set of instructions which cause the processor to search locally contents of the plurality of data storage media (column 3, lines 20-25 and column 6, lines 30-33, Majumdar) for pre-selected data (column 8, lines 2-12, Shannon), and to send a notification of detection of the pre-selected from the client device to the server via the network (column 4, lines 41-50, Dascalu) upon detecting locally at least a portion of the pre-selected data on any of the plurality of storage media (column 3, lines 34-36, lines 58-67, and column 4, lines 1-10, Majumdar).

7.   Claims 4-5,16-19,22-23, and 27-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Majumdar (US Patent No. 6,639,615) filed May 28, 1999, in view of Shannon (US Patent No. 6,233,618) filed March 31, 1998, further in view of Dascalu (US Patent No. 5,958,015) filed October 29, 1996, and further in view of Brandt (US Patent No. 5,892,905) filed December 23, 1996.

Regarding Claims 4 and 22, the combination of Majumdar in view of Shannon, and further in view of Dascalu, disclose all of the claimed subject matter as stated above. However, the combination of Majumdar in view of Shannon, and further in view of Dascalu, are silent with respect to the content being searched when the client device is disconnected from the network. On the other hand, Brandt discloses the content being searched when the client device is disconnected from the network (column 17, lines 46-50, Brandt). Majumdar, Shannon, Dascalu, and Brandt, are analogous art because they are from the same field of endeavor of access control of networked data. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Brandt's teachings into the Majumdar, Shannon, and Dascalu system. A skilled artisan would have been motivated to combine as suggested by Brandt at column 17, lines 51-55, in order to stay consistent with the maintenance on a system, as well as ensuring reliability without undue disruption.

Regarding Claims 5 and 23, the combination of Majumdar in view of Shannon, further in view of Dascalu, and further in view of Brandt, disclose a method wherein sending a notification comprises:

upon detecting the pre-selected data (column 14, lines 26-29, Shannon), creating a message containing the notification of the detection of the pre-selected data (column 4, lines 41-50, Dascalu);

placing the message in a transmission queue (column 4, lines 25-40, Dascalu); and

transmitting the message to the server after the client device is re-connected to the server (column 18, lines 24-30, Brandt).

Regarding Claims 16 and 27 the combination of Majumdar in view of Shannon, further in view of Dascalu, and further in view of Brandt, disclose a method wherein the plurality of data storage media is selected from the group consisting of a main memory ("DRAM"; column 10, lines 8-11, Brandt), a static memory, and a mass storage memory.

Regarding Claims 17 and 28, the combination of Majumdar in view of Shannon, further in view of Dascalu, and further in view of Brandt, disclose a method wherein searching contents of a plurality of data storage media comprises:

searching content of one or more volatile storage device[4] within the plurality of data storage media (column 10, lines 53-61, Brandt); and

searching content of one or more persistent storage device within the plurality of data storage media (column 10, lines 53-61, Brandt).

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[4] Examiner Notes: The volatile storage device corresponds to DASD (Direct Access Storage Device).

Regarding Claims 18 and 29, the combination of Majumdar in view of Shannon, further in view of Dascalu, and further in view of Brandt, disclose a method further comprising detecting use of the pre-selected data by an application[5] running on the client device (column 6, lines 8-15, Shannon).

Regarding Claims 19 and 30, the combination of Majumdar in view of Shannon, further in view of Dascalu, and further in view of Brandt, disclose a method further comprising:

identifying the application using the pre-selected data (column 10, lines 51-59, Shannon); and

reporting the identified application (column 10, lines 59-64, Shannon).

Response to Arguments

Applicant's arguments with respect to newly amended claims 1,20,31,and 32 have been considered but are moot in view of the new ground(s) of rejection.

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[5] Examiner Notes: The application corresponds to a "network device", which has access to the databases and permits data communication (column 5, lines 12-20, Shannon).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 28, 2007
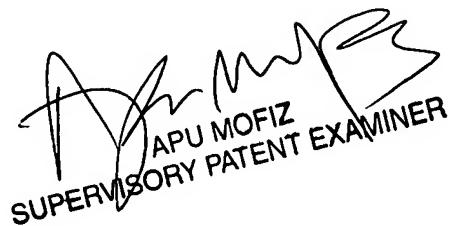
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